

I.M.C.R. 9.3. Seizure of Driver's License Upon Suspension - Stay Upon Appeal.

Idaho Misdemeanor Criminal Rule 9.3. Seizure of Driver's License Upon Suspension - Stay Upon Appeal.

(a) Seizure of Driver's License. Upon the suspension of driving privileges and driver's license under these Misdemeanor Criminal Rules, the court shall seize the driver's license from the defendant, if possible, and upon entry of the order of suspension cause the driver's license to be delivered to the Department of Transportation with the order suspending the license. If the driver's license cannot be seized by the court for any reason, a notation to that effect shall be endorsed by the court or the clerk on the order of suspension. The driver's license shall not be automatically reinstated after the period of suspension, but upon the expiration of the period of suspension, the defendant may apply to the Department of Transportation for reinstatement of the license as provided by law.

(b) Stay on Appeal. In the event the defendant appeals the suspension of a driver's license or appeals a conviction which resulted in the suspension of a driver's license, the court imposing the suspension, or the appellate court, may stay the suspension of the driver's license pending the appeal upon such conditions as the staying court may impose.

(Adopted April 3, 1984, effective March 1, 1984.)

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